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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,308	03/10/2004	Seela Raj D Rajaiah	70040140-1	4414

7590 08/24/2005

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL 429  
Intellectual Property Administration  
P.O. Box 7599  
Loveland, CO 80537-0599

EXAMINER

DANIELS, ANTHONY J

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/797,308	RAJIAH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Anthony J. Daniels	2615	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment, filed 7/11/2005, has been entered and made of record. Claims 1-20 are pending in the application.

### ***Response to Arguments***

2. It is respectfully submitted that the amendments to the claims have not overcome the prior art. The amended claims, however, require a different interpretation. The response to the amendments can be found in the context of the rejections below.

### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-20 stand rejected under 35 U.S.C. 102(e) as being anticipated by Takeuchi (US 20020054220).

Claims 8-13 will be discussed first.

As to claim 8, Takeuchi teaches a device that takes an image (Figure 1, [0034], Lines 1-5), comprising: a color filter array that captures an image (Figure 3, image pickup data unit “113”; Figure 5, [0048]); a color sensor that detects a plurality of color components of incident light (Figure 3, image pickup data unit “101”; Figure 5, [0033]), the color sensor being separate from and not part of the color filter array (Figure 1; *{The color filter array and the color sensor as now interpreted by examiner are not part of each other as seen in Figure 1.}*); a converter that

Art Unit: 2615

generates an average intensity value for each of the plurality of color components (Figure 1, average processing unit “105”; [0035], Lines 7-9); and, a white balance calculator (Figure 1, white balance control value operating unit “111”) that uses the average intensity values for the plurality of color components to calculate a white balance for the image captured by the color filter array ([0046]).

As to claim 9, Takeuchi teaches a device as in claim 8: wherein each of the plurality of color components is an analog value ([0035]; *{When the image data is picked up, it is inherent at some time the plurality of color components are analog values.}*); and, wherein each of the average intensity values is a digital value ([0033], [0035], Lines 7-9; *{The average processing unit performs its function after the color components have converted to digital form.}*).

As to claim 10, Takeuchi teaches a device as in claim 8 wherein the device is a digital camera ([0034], Lines 1-5).

As to claim 11, Takeuchi teaches a device as in claim 8 wherein the plurality of color components includes a red component, a blue component, and a green component (Figure 5; [0033]).

As to claim 12, Takeuchi teaches a device as in claim 8: wherein the plurality of color components include a red component, a green component, and a blue component (Figure 5; [0033]); and, wherein the average intensity values include an average red intensity value derived from the red component, an average green intensity value derived from the green component and an average blue intensity value derived from the blue component ([0035], Lines 7-9; *{The average red, blue, and green intensity values are derived from the digital red, blue, and green*

Art Unit: 2615

*digital intensity values which are derived from the analog red, blue, and green intensity values.})).*

As to claim 13, Takeuchi teaches a device in claim 12: wherein the red component, the green component, and the blue component are analog values ([0035]; *{When the image data is picked up, it is inherent at some time the plurality of color components are an analog value.}*); and, wherein the average red intensity value, the average green intensity value, and the average blue intensity value are digital values ([0033], [0035], Lines 7-9; *{The average processing unit performs its function after the color components have converted to digital form.}*)).

As to claims 1-6, claims 1-6 are method claims corresponding to the apparatus claims 8-13, respectively. Therefore, claims 1-6 are analyzed and rejected as previously discussed with respect to claims 8-13, respectively.

As to claim 7, Takeuchi teaches a method as in claim 1 wherein capturing the image and detecting the plurality of color components are performed simultaneously allowing for parallel processing (Figure 1, image pickup data units “101”, “113”; [0033], [0048]).

As to claim 14, Takeuchi teaches a device as in claim 8 wherein the color sensor includes, for each color component, a photo sensor with an integrated filter (Figure 5; [0033]).

As to claims 15-20, the limitations in claims 15-20 can be found in claims 8-13, respectively. Therefore, claims 15-20 are analyzed and rejected as previously discussed with respect to claims 8-13, respectively.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Daniels whose telephone number is (571) 272-7362. The examiner can normally be reached on 8:00 A.M. - 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/797,308  
Art Unit: 2615

Page 6

AD  
8/19/2005



NGOC-YEN VU  
PRIMARY EXAMINER